15.39 hrs.

OBSERVATION BY SPEAKER

Receipt of Notice from Supreme Court by the Ex-Speaker

[English]

MR. SPEAKER: There is one more matter which I would like to bring to your notice. You know that there is an impeachment matter pending with the Committee. Against that matter one more case has been filed in the Supreme Court. Shri Rabi Ray ji, who happens to be our former Speaker, has received a notice from the Supreme Court. Shri Rabi Ray ji has written to me asking for my views and asking for the suggestions from the present Speaker. Some days back, the hon. leaders of different parties and Shri Rabi Ray ji had met me and we had discussed this matter. They asked for my views on this matter. I had explained to them that we had organised a meeting of the Presiding Officers of India and in that meeting nearly unanimously it was decided that the judgement given by the Supreme Court should be respected until the law is amended.

We had also said in that meeting that the hon. Presiding Officers may not subject themselves to the jurisdiction of the judiciary. We, as a very responsible institution, like to protect the prestige and dignity of the judiciary as well as the prestige and dignity of the legislature. Now here we have to strike a balance and that is very very important.

We have said that we would make the relevant papers, which can be given to the court, available to the court for going through the papers and taking the decision. And whatever the decision given by them will be respected by the Presiding Officers and the legislaturers. There were one or two dissenting views on that point. But ultimately everybody agreed to that. I had expressed this point of view to the hon. leaders and to Shri Rabi Rayji also. And I have said that the Speaker may not appear in the court. The papers may be given to the court and court can decide in whatever fashion they want to. This matter can be brought to the notice of the Law Ministry also and the point of view of the legislature can be presented to the judiciary through the Law Ministry if it is necessary.

But on the ene hand, we will give the papers and we would accept and respect the decision, but on the other hand, we would not expect the Presiding Officers to go to the court and subject themselves to the jurisdiction of the court. That was the view I had expressed. And at the same time. I had said that I would bring this matter to the notice of this august House and with their agreement only we would come to a conclusion. So, I have brought this view to your notice. And, I think , if it is agreeable to us we will follow this.

SEVERAL HON. MEMBERS: Yes, Sir.

SHRI LAL K. ADVANI (Gandhi Nagar): This Minister of Parliamentary Affairs was also present.

MR. SPEAKER: The hon. Minister of State for Parliamentary Affairs was also present. Of Course, he had said that he would discuss with his Government. By and large, this was the view which has been discussed . He had not expressed any views. But we could find that he was not at tangent with the views expressed by us.

15.42 hrs.

MOTION OF THANKS ON THE PRESIDENT'S ADDRESS-*CONTD.*

[English]

MR. SPEAKER: Shri Anil Basu to speak.

SHRI ANIL BASU (Arambagh): Hon. Speaker, Sir, I rise to oppose the Miotion of Thanks on the President's Address. I wish to